

60,427-243  
2000P09009US01REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the Office Action. Claim 6 is amended above. New claims 10 and 11 are added. Applicant respectfully requests reconsideration of this application.

Applicant respectfully traverses the rejection of claims 1-7 and 9 under 35 U.S.C. §103 based upon *Knight*.

Regarding claims 1-5, there is no support portion for supporting the fuel injector assembly as recited in claim 1 within *Knight*. There is no motivation for adding such a support portion to the arrangement of *Knight* because *Knight* is basically a hand-held device that is intended to "be plier-like...for convenient operation in one hand of the user or operator." (Column 1, lines 64-65). Accordingly, the device of *Knight* is not adaptable to supporting an entire fuel injector assembly. If one were to attempt to modify it to provide such a support, it would no longer have the characteristic required by the teachings of the *Knight* reference and, therefore, there is no motivation for such a modification and no *prima facie* case of obviousness.

With regard to claims 6-10, the *Knight* tool is a hand-held, manually operated tool. There is no automation anywhere suggested within *Knight*. In fact, it teaches the exact opposite, "it is an object of the present invention to provide simple, inexpensive, compact, light-weight hand operated pull testing tools capable of use in the assembly area or at the work bench." (Column 1, lines 43-46). It follows that *Knight* cannot be modified to be consistent with Applicant's claimed invention without going against the express teachings and intentions of the *Knight* reference. Such a modification is not permissible under 35 U.S.C. §103 and there is no *prima facie* case of obviousness.

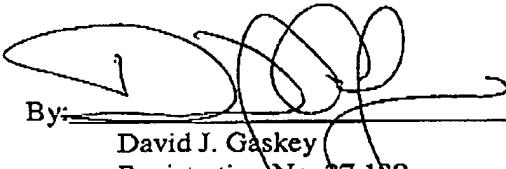
60,427-243  
2000P09009US01

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a telephone conference will facilitate moving this case forward to being issued, Applicant's representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

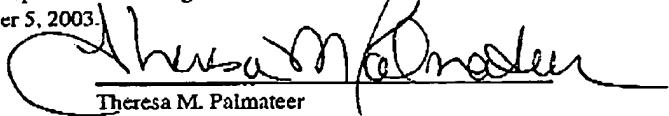
By: 

David J. Gaskey  
Registration No. 37,139  
400 W. Maple Rd., Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

Dated: December 5, 2003

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9306) on December 5, 2003.

  
Theresa M. Palmateer

N:\Clients\SIEMENS\AIR FUEL MODULES\IP00243\Patent\Response 12-5-03.doc